

PERMIT NO. MIG570000

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTEWATER DISCHARGE GENERAL PERMIT**

SECONDARY TREATMENT WASTEWATER

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq; the "Federal Act"), Michigan Act 451, Public Acts of 1994, as amended (the "Michigan Act"), Parts 31 and 41, and Michigan Executive Orders 1991-31, 1995-4 and 1995-18, secondary treated wastewater is authorized to be discharged from facilities specified in individual "certificates of coverage" in accordance with effluent limitations, monitoring requirements and other conditions set forth in this general National Pollutant Discharge Elimination System (NPDES) permit (the "permit").

The applicability of this permit shall be limited to discharges of treated sanitary wastewater which: a) have been treated using secondary treatment processes which meet generally accepted design standards as determined by the Department; b) comply with applicable secondary treatment regulations at 40 CFR 133.102; and c) have been determined by the Michigan Department of Environmental Quality (the "Department") not to need an individual NPDES permit. Discharges which may cause or contribute to a violation of a water quality standard are not authorized by this permit.

In order to constitute a valid authorization to discharge, this permit must be complemented by a certificate of coverage issued by the Department.

Unless specified otherwise, all contact with the Department required by this permit shall be to the position(s) indicated in the certificate of coverage, and all Department approvals specified in this permit shall be by the position(s) indicated in the certificate of coverage.

In accordance with Section 324.3120 of the Michigan Act, the permittee shall make payment of an annual permit fee to the Department. In response to the Department's annual notice, the permittee shall submit the fee, which shall be postmarked no later than January 15 of each year.

In accordance with R323.2416 of the Michigan Administrative Code, the permittee shall make payment of an annual biosolids land application fee to the Department, if applicable. In response to the Department's annual notice, the permittee shall submit the fee, which shall be postmarked no later than January 31 of each year.

The terms and conditions of this general permit shall apply to an individual facility on the effective date of a certificate of coverage for the facility. The Department may grant a contested case hearing on this general permit in accordance with the Michigan Act. Any person who is aggrieved by this permit may file a sworn petition with the Office of Administrative Hearings of the Michigan Department of Environmental Quality, setting forth the conditions of the permit which are being challenged and specifying the grounds for the challenge. The Department may grant a contested case hearing on the certificate of coverage issued to an individual facility under this general permit in accordance with Rule 2192(c) (Rule 323.2192 of the Michigan Administrative Code).

This general permit shall take effect April 1, 2005. The provisions of this permit are severable. After notice and opportunity for a hearing, this permit may be modified, suspended or revoked in whole or in part during its term in accordance with applicable laws and rules. On its effective date this permit shall supersede NPDES Permit No. MIG570000, expiring October 1, 2000.

This general permit shall expire at midnight, April 1, 2010.

Issued July 23, 2004

Original Permit Signed by William Creal
William Creal, Chief
Surface Water Permits Section
Water Division

PART I**Section A. Limitations And Requirements****1. Final Effluent Limitations**

During the period beginning on the effective date of this permit and the effective date of an individual certificate of coverage, and lasting until the expiration of this permit or termination of the individual certificate of coverage, the permittee is authorized to discharge treated sanitary wastewater to the surface waters of the state of Michigan. Such discharge shall be limited and monitored by the permittee as specified below.

Parameter	Maximum Limits for Quantity or Loading				Maximum Limits for Quality or Concentration				Frequency of Analysis	Sample Type
	Monthly	7-Day	Daily	Units	Monthly	7-Day	Daily	Units		
Flow	(report)	---	(report)	MGD	---	---	---	---	Daily	Report Total Daily Flow
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	<u>see item d.</u>			---	25	40	---	mg/l	<u>see item c.</u>	24-Hr Composite
Total Suspended Solids	---	---	---	---	30	45	---	mg/l	<u>see item c.</u>	24-Hr Composite
Ammonia Nitrogen (as N) 5/1-9/30	---	---	---	---	(report)	---	---	mg/l	Monthly	24-Hr Composite
Total Phosphorus (as P)	---	---	---	---	1.0	---	---	mg/l	<u>see item c.</u>	24-Hr Composite
Fecal Coliform Bacteria	---	---	---	---	200	400	---	cts/100 ml	<u>see item c.</u>	Grab
Total Residual Chlorine	<u>see item e.</u>	---	---	---	---	---	0.038	mg/l	<u>see item c.</u>	Grab
					Minimum Monthly					
CBOD ₅ Minimum % Removal	<u>see item f.</u>			---	85	---	---	%	Monthly	Calculation
Total Suspended Solids Minimum % Removal	<u>see item f.</u>			---	85	---	---	%	Monthly	Calculation
					Minimum Daily	Maximum Daily				
pH	---	---	---	---	6.5	---	9.0	S.U.	<u>see item c.</u>	Grab
Dissolved Oxygen	---	---	---	---	4.0	---	---	mg/l	<u>see item c.</u>	Grab

- a. Narrative Standard
The receiving water shall contain no unnatural turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge.
- b. Sampling Locations
Samples for CBOD₅, Total Suspended Solids, Ammonia Nitrogen and Total Phosphorus shall be taken prior to disinfection. Samples for Dissolved Oxygen, Fecal Coliform Bacteria, Total Residual Chlorine and pH shall be taken after disinfection. The Department may approve alternate sampling locations which are demonstrated by the permittee to be representative of the effluent.

PART I**Section A. Limitations And Requirements****c. Monitoring Frequency**

Monitoring frequency is based on the wastewater treatment plant design flow (annual average design flow). Monitoring for all parameters except flow and percent removal shall be as specified below:

Annual Average Design Flow	Monitoring Frequency
Less than 1.0 MGD	3 times weekly
1.0 MGD to 5.0 MGD	5 times weekly
Greater than 5.0 MGD	Daily

The permittee may request a reduction in monitoring frequency. This request shall be submitted to the Department. The request shall include a demonstration or explanation for why reduced monitoring is appropriate. Upon receipt of written approval and consistent with such approval, the permittee may reduce the monitoring frequency indicated in this permit. The Department may revoke his/her approval for reduced monitoring at any time upon notification to the permittee.

d. CBOD₅

Monitoring and reporting of Biochemical Oxygen Demand (BOD₅) may be substituted for CBOD₅ upon approval by the Department as specified in the certificate of coverage. The effluent limitations for BOD₅ shall be 30 mg/l as a maximum monthly concentration and 45 mg/l as a maximum 7-day average concentration.

e. Total Residual Chlorine

Compliance with the Total Residual Chlorine limit shall be determined on the basis of one or more grab samples. If more than one (1) sample per day is taken, the additional samples shall be collected in near equal intervals over at least eight (8) hours. The samples shall be analyzed immediately upon collection and the average reported as the daily concentration. EPA Method 330.1 or the Orion 97-70 electrode shall be used for analysis.

Total residual chlorine is required to be monitored only if chlorine is used to provide disinfection. The Department may approve an alternate total residual chlorine limit up to 0.5 mg/l as a daily maximum where it has been demonstrated the higher limit is consistent with Rule 1082 of the Water Quality Standards.

f. Percent Removal Requirements

If indicated in the certificate of coverage, these requirements shall be calculated based on the monthly (30-day) effluent CBOD₅ or (BOD₅, if appropriate) and Total Suspended Solids concentrations and the monthly influent concentrations for approximately the same period. The Department may approve an alternate percent removal which is demonstrated by the permittee to be consistent with 40 CFR 133.103, based on site-specific conditions of the collection and treatment system.

PART I

Section A. Limitations And Requirements

2. Additional Monitoring Requirements

This section applies to publicly owned treatment works with annual average design flows greater than or equal to 1 MGD. The certificate of coverage will identify whether the whole effluent toxicity testing shall be in accordance with the acute toxicity testing or the chronic toxicity testing procedures. If indicated on the certificate of coverage, the permittee shall monitor the outfall discharge for the constituents listed below. This monitoring is an application requirement of 40 CFR 122.21(j), effective December 2, 1999. Testing shall be conducted in April, 2006, July, 2007, October, 2008, and February, 2009. Grab samples shall be taken for total mercury, available cyanide, total phenols, and parameters listed under Volatile Organic Compounds. For all other parameters, 24-hour composite samples shall be taken.

Chronic toxicity testing as described in this paragraph is required of all permittees with an annual average design flow equal to or greater than 1 MGD where the instream mix is less than 80 to 1. Test species for whole effluent toxicity monitoring shall include fathead minnow **and** *Ceriodaphnia dubia*. Testing and reporting procedures shall follow procedures contained in EPA/600/4-91/002, "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms". When the effluent ammonia nitrogen (as N) concentration is greater than 3 mg/l, the pH of the toxicity test shall be maintained at a pH of 8 Standard Units. Acute and chronic toxicity data shall be included in the reporting for the toxicity test results. Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

Acute toxicity testing as described in this paragraph is require of all permittees with an annual average design flow equal to or greater than 1 MGD where the instream mix is greater than 80 to 1. Test species for whole effluent toxicity monitoring shall include fathead minnow **and** either *Daphnia magna*, *Daphnia pulex* or *Ceriodaphnia dubia*. Testing and reporting procedures shall follow procedures contained in EPA/600/4-90/027F, "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms." When the effluent ammonia nitrogen (as N) concentration is greater than 5 mg/l, the pH of the toxicity test shall be maintained at the pH of the effluent at the time of sample collection. Toxicity test data acceptability is contingent upon the validation of the test method by the testing laboratory. Such validation shall be submitted to the Department upon request.

The analytical protocol for total mercury shall be in accordance with EPA Method 1631, Revision E, "Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry". The use of clean technique sampling procedures is strongly recommended. Guidance for clean technique sampling is contained in: EPA Method 1669, *Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels (Sampling Guidance)*, EPA-821-R96-001, [July 1996]. Information and data documenting the permittee's sampling and analytical protocols and data acceptability shall be submitted to the Department upon request.

The results of such monitoring shall be submitted with the application for reissuance (see the cover page of this permit for the application due date). The permittee shall notify the Department within 14 days of completing the monitoring for each month specified above in accordance with Part II.C.5. Additional reporting requirements are specified in Part II.C.10. The permittee shall report to the Department any whole effluent toxicity test results greater than 1.0 TU_A or 1.0 TU_C within five (5) days of becoming aware of the result. If, upon review of the analysis, it is determined that additional requirements are needed to protect the receiving waters in accordance with applicable water quality standards, the permit may then be modified by the Department in accordance with applicable laws and rules.

Whole Effluent Toxicity

acute toxicity

chronic toxicity (If required by the COC)

Hardness

calcium carbonate

PART I**Section A. Limitations And Requirements**Metals (Total Recoverable), Cyanide and Total Phenols (quantification levels in parentheses)

antimony (1 µg/l)	arsenic (1 µg/l)	beryllium (1 µg/l)
cadmium (0.2 µg/l)	chromium (5 µg/l)	copper (1 µg/l)
lead (1 µg/l)	nickel (5 µg/l)	selenium (1 µg/l)
silver (0.5 µg/l)	thallium (1 µg/l)	zinc (5 µg/l)
mercury (0.5 ng/l) using Method 1631 Revision E		
available cyanide (2 µg/l) using Method OIA - 1677		
total phenolic compounds		

Volatile Organic Compounds

acrolein	acrylonitrile	benzene
bromoform	carbon tetrachloride	chlorobenzene
chlorodibromomethane	chloroethane	2-chloroethylvinyl ether
chloroform	dichlorobromomethane	1,1-dichloroethane
1,2-dichloroethane	trans-1,2-dichloroethylene	1,1-dichloroethylene
1,2-dichloropropane	1,3-dichloropropylene	ethylbenzene
methyl bromide	methyl chloride	methylene chloride
1,1,2,2,-tetrachloroethane	tetrachloroethylene	toluene
1,1,1-trichloroethane	1,1,2-trichloroethane	trichloroethylene
vinyl chloride		

Acid-Extractable Compounds

p-chloro-m-creso	2-chlorophenol	2,4-dichlorophenol
2,4-dimethylphenol	4,6-dinitro-o-cresol	2,4-dinitrophenol
2-nitrophenol	4-nitrophenol	pentachlorophenol
phenol	2,4,6-trichlorophenol	

Base/Neutral Compounds

acenaphthene	acenaphthylene	anthracene
benzidine	benzo(a)anthracene	benzo(a)pyrene
3,4-benzofluoranthene	benzo(ghi)perylene	benzo(k)fluoranthene
bis(2-chloroethoxy)methane	bis(2-chloroethyl)ether	bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate	4-bromophenyl phenyl ether	butyl benzyl phthalate
2-chloronaphthalene	4-chlorophenyl phenyl ether	chrysene
di-n-butyl phthalate	di-n-octyl phthalate	dibenzo(a,h)anthracene
1,2-dichlorobenzene	1,3-dichlorobenzene	1,4-dichlorobenzene
3,3'-dichlorobenzidine	diethyl phthalate	dimethyl phthalate
2,4-dinitrotoluene	2,6-dinitrotoluene	1,2-diphenylhydrazine
fluoranthene	fluorene	hexachlorobenzene
hexachlorobutadiene	hexachlorocyclo-pentadiene	hexachloroethane
indeno(1,2,3-cd)pyrene	isophorone	naphthalene
nitrobenzene	n-nitrosodi-n-propylamine	n-nitrosodimethylamine
n-nitrosodiphenylamine	phenanthrene	pyrene
1,2,4-trichlorobenzene		

PART I**Section A. Limitations And Requirements****3. Michigan Industrial Pretreatment Program**

- a. This section applies to Publicly Owned Treatment Works required to implement the Michigan Industrial Pretreatment Program as specified in the certificate of coverage. All individual Program modifications approved by the Department become enforceable requirements of this permit.
- b. The permittee shall comply with Rules 323.2301 through 323.2317 of the Michigan Administrative Code (Part 23 Rules) and the approved Michigan Industrial Pretreatment Program.
- c. The permittee shall have the legal authority and necessary interjurisdictional agreements that provide the basis for the implementation and enforcement of the approved Michigan Industrial Pretreatment Program throughout the service area. The legal authority and necessary interjurisdictional agreements shall include, at a minimum, the authority to carry out the activities specified in Rule 323.2306(a).
- d. The permittee shall develop procedures which describe, in sufficient detail, program commitments which enable implementation of the approved Michigan Industrial Pretreatment Program and the Part 23 Rules in accordance with Rule 323.2306(c).
- e. The permittee shall establish an interjurisdictional agreement (or comparable document) with all tributary governmental jurisdictions. Each interjurisdictional agreement shall contain, at a minimum, the following:
 - 1) identification of the agency responsible for the implementation and enforcement of the approved Michigan Industrial Pretreatment Program within the tributary governmental jurisdiction's boundaries; and
 - 2) the provision of the legal authority which provides the basis for the implementation and enforcement of the approved Michigan Industrial Pretreatment Program within the tributary governmental jurisdiction's boundaries.
- f. The permittee shall prohibit discharges that:
 - 1) cause, in whole or in part, the permittee's failure to comply with any condition of this permit or the Michigan Act;
 - 2) restrict, in whole or in part, the permittee's management of biosolids;
 - 3) cause, in whole or in part, operational problems at the treatment facility or in its collection system;
 - 4) violate any of the general or specific prohibitions identified in Rule 323.2303(1) and (2);
 - 5) violate categorical standards identified in Rule 323.2311; and
 - 6) violate local limits established in accordance with Rule 323.2303(4).
- g. The permittee shall maintain a list of its nondomestic users that meet the criteria of a significant industrial user as identified in Rule 323.2302(cc).
- h. The permittee shall develop an enforcement response plan which describes, in sufficient detail, program commitments which will enable the enforcement of the approved Michigan Industrial Pretreatment Program and the Part 23 Rules in accordance with Rule 323.2306(g).
- i. The Department may require modifications to the approved Michigan Industrial Pretreatment Program which are necessary to ensure compliance with the Part 23 Rules in accordance with Rule 323.2309.
- j. The permittee shall not implement changes or modifications to the approved Michigan Industrial Pretreatment Program without notification to the Department.

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- k. The permittee shall maintain an adequate revenue structure and staffing level for effective implementation of the approved Michigan Industrial Pretreatment Program.
- l. The permittee shall develop and maintain, for a minimum of three (3) years, all records and information necessary to determine nondomestic user compliance with the Part 23 Rules and the approved Michigan Industrial Pretreatment Program. This period of retention shall be extended during the course of any unresolved enforcement action or litigation regarding a nondomestic user or when requested by the Department or the United States Environmental Protection Agency. All of the aforementioned records and information shall be made available upon request for inspection and copying by the Department and the United States Environmental Protection Agency.
- m. The permittee shall evaluate the approved Michigan Industrial Pretreatment Program for compliance with the Part 23 Rules and the prohibitions stated in item f (above). Based upon this evaluation, the permittee shall propose to the Department all necessary changes or modifications to the approved Michigan Industrial Pretreatment Program no later than the next Industrial Pretreatment Program Annual Report due date (see item o. below).
- n. The permittee shall develop and enforce local limits to implement the prohibitions listed in item f. above. Local limits shall be based upon data representative of actual conditions demonstrated in a maximum allowable headworks loading analysis.
- o. On or before April 1 of each year, the permittee shall submit to the Department, as required by Rule 323.2310(8), an Industrial Pretreatment Program Annual Report on the status of program implementation and enforcement activities. The reporting period shall begin on January 1 and end on December 31. At a minimum, the Industrial Pretreatment Program Annual Report shall contain the following items:
 - 1) additions, deletions, and any other modifications to the permittee's previously submitted nondomestic user inventory (Rule 323.2306(c)(i));
 - 2) additions, deletions, and any other modifications to the permittee's approved Significant Industrial User List (Rule 323.2306(h));
 - 3) a listing of the names of Significant Industrial Users not inspected by the permittee at least once during the reporting period or at the frequency committed to in the approved Michigan Industrial Pretreatment Program;
 - 4) a listing of the names of Significant Industrial Users not sampled for all required pollutants by the permittee at least once during the reporting period or at the frequency committed to in the approved Michigan Industrial Pretreatment Program;
 - 5) a listing of the names of Significant Industrial Users without a permit at any time during the reporting period;
 - 6) a listing of the names of categorical industrial users in significant noncompliance for each of the criteria defined in Rule 323.2302(dd)(i)-(viii);
 - 7) proof of publication of all categorical industrial users in significant noncompliance in the largest daily newspaper in the municipality in which the permittee is located;
 - 8) a summary of the enforcement activities by the permittee during the report period. This Summary shall include:
 - a) a listing of the names of nondomestic users which were the subject of an enforcement action;
 - b) the enforcement action taken and the date the action was taken; and
 - c) whether the nondomestic user returned to compliance by the end of the reporting period (include date nondomestic user returned to compliance).

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- 9) a listing of the names of Significant Industrial Users who did not submit pretreatment reports in accordance with requirements specified in their permit during the reporting period;
- 10) a listing of the names of Significant Industrial Users who did not self-monitor in accordance with requirements specified in their permit during the reporting period;
- 11) a summary of results of all the sampling and analyses performed of the wastewater treatment plant's influent, effluent, and biosolids conducted in accordance with approved methods during the reporting period. The summary shall include the monthly average, daily maximum, quantification level, and number of samples analyzed for each pollutant. At a minimum, the results of analyses for all locally limited parameters for at least one monitoring event that tests influent, effluent and biosolids during the reporting period shall be submitted with each report, unless otherwise required by the Department. Sample collection shall be at intervals sufficient to provide pollutant removal rates, unless the pollutant is not measurable; and
- 12) any other relevant information as requested by the Department.

PART I

Section A. Limitations And Requirements

4. Residuals Management Program for Land Application of Biosolids

This section applies to generators of biosolids that currently land apply bulk biosolids or propose biosolids land application under the Part 24 Rules of the Michigan Administrative code. Upon Department approval of a Residuals Management Program (RMP), the permittee is authorized to land apply bulk biosolids or prepare bulk biosolids for land application in accordance with the Part 24 Rules. Incineration, landfilling and other biosolids/residual disposal activities shall be conducted in accordance with Part II.D.7. of this permit.

If indicated in the certificate of coverage, the permittee shall continue to implement its approved RMP, and modifications thereto. In addition, the permittee shall certify their current residuals management practices are in accordance with the approved RMP, or propose modifications to the approved RMP. The program certification or proposed modifications shall be submitted to the Department on or before sixty (60) days following the effective date of this permit. In the event the permittee proposes to prepare biosolids for land application or land apply biosolids, an RMP shall be submitted to the Department for approval and implemented in accordance with the requirements below. The approved RMP and any modifications thereto, are enforceable requirements of this permit.

a. Residuals Management Program Description

At a minimum, the program shall include:

- 1) a description of the type and size of facility generating the biosolids;
- 2) a description of the biosolids treatment processes including the volume of biosolids generated from each process;
- 3) storage volume provided, if applicable;
- 4) transportation methods and spill prevention plan;
- 5) a description of the land application method;
- 6) a listing of the required information on all land application sites, information on initial application notifications required by R323.2408 and class B biosolids site restriction notifications, if applicable, as specified in R323.2414(3)(f);
- 7) a land application plan which shows compliance with the applicable management requirements identified in R323.2410 and the loading rates and limitations as specified in R323.2408, R323.2409 and R323.2417;
- 8) a description of the pathogen reduction method used to comply with R323.2411, R323.2414 and R323.2418;
- 9) a description of the vector attraction reduction method used to comply with R323.2415; and
- 10) information on monitoring program, monitoring frequencies pursuant to R323.2412, and one year of records representing the volume and concentrations of pollutants in the biosolids.

b. Modifications to the Approved RMP

The permittee shall submit proposed modifications to its RMP to the Department for approval. The approved modification shall become effective upon the date of approval. Upon written notification, the Department may impose additional requirements and/or limitations to the approved RMP as necessary to protect public health and the environment from any adverse effect of a pollutant in the biosolids.

c. Recordkeeping

Records required by R323.2413 shall be kept for a minimum of five years. However, the records documenting cumulative loading for sites subject to cumulative pollutant loading rates shall be kept as long as the site receives biosolids.

d. Annual Report

The permittee shall report the number of dry tons of biosolids generated that were applied to the land in the State of Michigan in the state fiscal year (October 1 through September 30). The annual report shall include information required in R323.2413(2)(h) and R323.2413 (3) to (8), except R323.2413 (6)(b), (7)(b), and (8)(b). The report shall be submitted to the Department on or before October 30 of each year.

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5. Facility Contact

The "Facility Contact" was specified in the application. The permittee may replace the facility contact at any time, and shall notify the Department in writing within 10 days after replacement (including the name, address and telephone number of the new facility contact).

- a. The facility contact shall be (or a duly authorized representative of this person):
 - for a corporation, a principal executive officer of at least the level of vice president, or a designated representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the permit application or other NPDES form originates,
 - for a partnership, a general partner,
 - for a sole proprietorship, the proprietor, or
 - for a municipal, state, or other public facility, either a principal executive officer, the mayor, village president, city or village manager or other duly authorized employee.
- b. A person is a duly authorized representative only if:
 - the authorization is made in writing to the Department by a person described in paragraph a. of this section; and
 - the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the facility (a duly authorized representative may thus be either a named individual or any individual occupying a named position).

Nothing in this section obviates the permittee from properly submitting reports and forms as required by law.



The Michigan Department of Environmental Quality (DEQ) encourages you to consider submitting your monthly Discharge Monitoring Reports (DMRs) electronically using the new web based Electronic Environmental Discharge Monitoring Reporting (**e2-DMR**) System. Explore the many benefits of this faster, more efficient alternative to submitting hand-written or paper-based Discharge Monitoring Reports. Participating in **e²-Reporting** will:

- ☒ Improve Data Quality
- ☒ Save Time
- ☒ Reduce Compliance Costs
- ☒ Better Utilize State Resources
- ☒ Allow for Immediate Feedback
- ☒ Improve Compliance Assessment

As a fully operational electronic reporting system, all of the necessary legal, security, and electronic signature functionalities have been included for this system to serve as a completely paperless reporting system. A complete **Facility Participation Package** which includes information regarding minimum system requirements and registration information can be found on the e2-DMR System Website. To access this document simply type in the following URL on the address line of your internet browser: <https://secure1.state.mi.us/e2rs/>. Then click on "about e-DMR" to download the **Facility Participation Package**.

PART I

Section A. Limitations And Requirements

6. Expiration and Reissuance

If the permittee wishes to continue a discharge authorized under this permit beyond the permit's expiration date, the permittee shall submit a written request to the Department on or before October 1, 2009, which contains such information, forms and fees as required by the Department. A person holding a valid certificate of coverage under an expired general permit shall continue to be subject to the terms and conditions of the expired permit until the permit is terminated, revoked, or reissued.

If this permit is modified or reissued, the permittee shall: a) request coverage under the modified or reissued permit, b) apply for an individual NPDES permit, or c) request termination of discharge authorization. Lacking an adequate response, the permittee's authorization to discharge shall expire on the effective date of the reissued or modified permit.

If this permit is terminated or revoked, all authorizations to discharge under the permit shall expire on the date of termination or revocation.

7. Requirement to Obtain Individual Permit

The Department may require any person who is authorized to discharge by a certificate of coverage and this permit, to apply for and obtain an individual NPDES permit if any of the following circumstances apply:

- a. the discharge is a significant contributor to pollution as determined by the Department on a case-by-case basis;
- b. the discharger is not complying or has not complied with the conditions of the permit;
- c. the discharger submits a request (application) to the Department for an increased loading in accordance with Part II.C.11 of this permit;
- d. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of waste applicable to the point source discharge;
- e. effluent standards and limitations are promulgated for point source discharges subject to this permit; and
- f. the Department determines that the criteria under which the permit was issued no longer apply.

Any person may request the Department to take action pursuant to the provisions of Rule 2191 (Rule 323.2191 of the Michigan Administrative Code).

PART II

Section A. Definitions

This list of definitions may include terms not applicable to this permit.

Acute toxic unit (TU_a) means $100/LC_{50}$ where the LC_{50} is determined from a whole effluent toxicity (WET) test which produces a result that is statistically or graphically estimated to be lethal to 50% of the test organisms.

Bioaccumulative chemical of concern (BCC) means a chemical which, upon entering the surface waters, by itself or as its toxic transformation product, accumulates in aquatic organisms by a human health bioaccumulation factor of more than 1000 after considering metabolism and other physiochemical properties that might enhance or inhibit bioaccumulation. The human health bioaccumulation factor shall be derived according to R 323.1057(5). Chemicals with half-lives of less than 8 weeks in the water column, sediment, and biota are not BCCs. The minimum bioaccumulation concentration factor (BAF) information needed to define an organic chemical as a BCC is either a field-measured BAF or a BAF derived using the biota-sediment accumulation factor (BSAF) methodology. The minimum BAF information needed to define an inorganic chemical as a BCC, including an organometal, is either a field-measured BAF or a laboratory-measured bioconcentration factor (BCF). The BCCs to which these rules apply are identified in Table 5 of R 323.1057 of the Water Quality Standards.

Biosolids are the solid, semisolid, or liquid residues generated during the treatment of sanitary sewage or domestic sewage in a treatment works. This includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a derivative of the removed scum or solids.

Bulk biosolids means biosolids that are not sold or given away in a bag or other container for application to a lawn or home garden.

Chronic toxic unit (TU_c) means $100/MATC$ or $100/IC_{25}$, where the maximum acceptable toxicant concentration (MATC) and IC_{25} are expressed as a percent effluent in the test medium.

Class B Biosolids refers to material that has met the Class B pathogen reduction requirements or equivalent treatment by a Process to Significantly Reduce Pathogens (PSRP) in accordance with the Part 24 Rules. Processes include aerobic digestion, composting, anaerobic digestion, lime stabilization and air drying.

Daily concentration is the sum of the concentrations of the individual samples of a parameter divided by the number of samples taken during any calendar day. If the parameter concentration in any sample is less than the quantification limit, regard that value as zero when calculating the daily concentration. The daily concentration will be used to determine compliance with any maximum and minimum daily concentration limitations (except for pH and dissolved oxygen). When required by the permit, report the maximum calculated daily concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the Discharge Monitoring Reports (DMRs).

For pH, report the maximum value of any individual sample taken during the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs and the minimum value of any individual sample taken during the month in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs. For dissolved oxygen, report the minimum concentration of any individual sample in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Daily loading is the total discharge by weight of a parameter discharged during any calendar day. This value is calculated by multiplying the daily concentration by the total daily flow and by the appropriate conversion factor. The daily loading will be used to determine compliance with any maximum daily loading limitations. When required by the permit, report the maximum calculated daily loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

Department means the Michigan Department of Environmental Quality.

Detection Level means the lowest concentration or amount of the target analyte that can be determined to be different from zero by a single measurement at a stated level of probability.

EC₅₀ means a statistically or graphically estimated concentration that is expected to cause 1 or more specified effects in 50% of a group of organisms under specified conditions.

PART II

Section A. Definitions

Fecal coliform bacteria monthly is the geometric mean of the samples collected in a calendar month (or 30 consecutive days). The calculated monthly value will be used to determine compliance with the maximum monthly fecal coliform bacteria limitations. When required by the permit, report the calculated monthly value in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMRs.

Fecal coliform bacteria 7-day is the geometric mean of the samples collected in any 7-day period. The calculated 7-day value will be used to determine compliance with the maximum 7-day fecal coliform bacteria limitations. When required by the permit, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

Flow Proportioned sample is a composite sample with the sample volume proportional to the effluent flow.

Grab sample is a single sample taken at neither a set time nor flow.

IC₂₅ means the toxicant concentration that would cause a 25% reduction in a nonquantal biological measurement for the test population.

Interference is a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) therefore, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or, of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act. [This definition does not apply to sample matrix interference.]

Land Application means spraying or spreading biosolids or a biosolids derivative onto the land surface, injecting below the land surface, or incorporating into the soil so that the biosolids or biosolids derivative can either condition the soil or fertilize crops or vegetation grown in the soil.

LC₅₀ means a statistically or graphically estimated concentration that is expected to be lethal to 50% of a group of organisms under specified conditions.

Maximum acceptable toxicant concentration (MATC) means the concentration obtained by calculating the geometric mean of the lower and upper chronic limits from a chronic test. A lower chronic limit is the highest tested concentration that did not cause the occurrence of a specific adverse effect. An upper chronic limit is the lowest tested concentration which did cause the occurrence of a specific adverse effect and above which all tested concentrations caused such an occurrence.

MGD means million gallons per day.

Monthly frequency of analysis refers to a calendar month. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

Monthly concentration is the sum of the daily concentrations determined during a reporting month (or 30 consecutive days) divided by the number of daily concentrations determined. The calculated monthly concentration will be used to determine compliance with any maximum monthly concentration limitations. When required by the permit, report the calculated monthly concentration in the "AVERAGE" column under "QUALITY OR CONCENTRATION" on the DMRs.

For minimum percent removal requirements, the monthly influent concentration and the monthly effluent concentration shall be determined. The calculated monthly percent removal, which is equal to 100 times the quantity [1 minus the quantity (monthly effluent concentration divided by the monthly influent concentration)], shall be reported in the "MINIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

PART II

Section A. Definitions

Monthly loading is the sum of the daily loadings of a parameter divided by the number of daily loadings determined in the reporting month (or 30 consecutive days). The calculated monthly loading will be used to determine compliance with any maximum monthly loading limitations. When required by the permit, report the calculated monthly loading in the "AVERAGE" column under "QUANTITY OR LOADING" on the DMRs.

National Pretreatment Standards are the regulations promulgated by or to be promulgated by the Federal Environmental Protection Agency pursuant to Section 307(b) and (c) of the Federal Act. The standards establish nationwide limits for specific industrial categories for discharge to a POTW.

NOAEL means the highest tested dose or concentration of a substance that results in no observed adverse effect in exposed test organisms where higher doses or concentrations result in an adverse effect.

Noncontact Cooling Water is water used for cooling which does not come into direct contact with any raw material, intermediate product, by-product, waste product or finished product.

Nondomestic user is any discharger to a POTW that discharges wastes other than or in addition to water-carried wastes from toilet, kitchen, laundry, bathing or other facilities used for household purposes.

Pretreatment is reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties to a less harmful state prior to discharge into a public sewer. The reduction or alteration can be by physical, chemical, or biological processes, process changes, or by other means. Dilution is not considered pretreatment unless expressly authorized by an applicable National Pretreatment Standard for a particular industrial category.

POTW is a publicly owned treatment works.

Quantification level means the measurement of the concentration of a contaminant obtained by using a specified laboratory procedure calculated at a specified concentration above the detection level. It is considered the lowest concentration at which a particular contaminant can be quantitatively measured using a specified laboratory procedure for monitoring of the contaminant.

Quarterly frequency of analysis refers to a three month period, defined as January through March, April through June, July through September, and October through December. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

Regional Administrator is the Region 5 Administrator, U.S. EPA, located at R-19J, 77 W. Jackson Blvd., Chicago, Illinois 60604.

Significant industrial user is a nondomestic user that: 1) is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or 2) discharges an average of 25,000 gallons per day or more of process wastewater to a POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the permittee as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's treatment plant operation or violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Tier I value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier I toxicity database.

Tier II value means a value for aquatic life, human health or wildlife calculated under R 323.1057 of the Water Quality Standards using a tier II toxicity database.

Toxicity Reduction Evaluation (TRE) means a site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.

PART II

Section A. Definitions

Water Quality Standards means the Part 4 Water Quality Standards promulgated pursuant to Part 31 of Act No. 451 of the Public Acts of 1994, as amended, being Rules 323.1041 through 323.1117 of the Michigan Administrative Code.

Weekly frequency of analysis refers to a calendar week which begins on Sunday and ends on Saturday. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

Yearly frequency of analysis refers to a calendar year beginning on January 1 and ending on December 31. When required by this permit, an analytical result, reading, value or observation must be reported for that period if a discharge occurs during that period.

24-Hour Composite sample is a flow proportioned composite sample consisting of hourly or more frequent portions that are taken over a 24-hour period.

3-Portion Composite sample is a sample consisting of three equal volume grab samples collected at equal intervals over an 8-hour period.

7-day concentration is the sum of the daily concentrations determined during any 7 consecutive days in a reporting month divided by the number of daily concentrations determined. The calculated 7-day concentration will be used to determine compliance with any maximum 7-day concentration limitations. When required by the permit, report the maximum calculated 7-day concentration for the month in the "MAXIMUM" column under "QUALITY OR CONCENTRATION" on the DMRs.

7-day loading is the sum of the daily loadings of a parameter divided by the number of daily loadings determined during any 7 consecutive days in a reporting month. The calculated 7-day loading will be used to determine compliance with any maximum 7-day loading limitations. When required by the permit, report the maximum calculated 7-day loading for the month in the "MAXIMUM" column under "QUANTITY OR LOADING" on the DMRs.

Preventing Pollution is the Best Solution

The Michigan Department of Environmental Quality (DEQ) encourages you to consider pollution prevention alternatives. In some cases pollution prevention may allow you to avoid the need to discharge pollutants which would otherwise require permit limitations -- or even avoid the need for permits altogether! Pollution prevention can:

- ☒ Save Money
- ☒ Reduce Waste
- ☒ Aid Permit Compliance
- ☒ Protect Our Environment
- ☒ Improve Corporate Image
- ☒ Reduce Liability

The DEQ is helping Michigan's industries save money, reduce waste and protect our environment through pollution prevention. DEQ staff can provide pollution prevention assistance through telephone consultations, technical workshops and seminars, and informational publications. They can also put you directly in touch with local support networks and national pollution prevention resources. For more information, contact the Michigan Department of Environmental Quality, Environmental Science and Services Division, at 1-800-662-9278 or visit our homepage at <http://www.michigan.gov/deq>.

PART II

Section B. Monitoring Procedures

1. Representative Samples

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations promulgated pursuant to Section 304(h) of the Federal Act (40 CFR Part 136 - Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless specified otherwise in this permit. Requests to use test procedures not promulgated under 40 CFR Part 136 for pollutant monitoring required by this permit shall be made in accordance with the Alternate Test Procedures regulations specified in 40 CFR 136.4. These requests shall be submitted to the Chief of the Surface Water Permits Section, Water Division, Michigan Department of Environmental Quality, P.O. Box 30273, Lansing, Michigan, 48909-7773. The permittee may use such procedures upon approval.

The permittee shall periodically calibrate and perform maintenance procedures on all analytical instrumentation at intervals to ensure accuracy of measurements. The calibration and maintenance shall be performed as part of the permittee's laboratory Quality Control/Quality Assurance program.

3. Instrumentation

The permittee shall periodically calibrate and perform maintenance procedures on all monitoring instrumentation at intervals to ensure accuracy of measurements.

4. Recording Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information: 1) the exact place, date, and time of measurement or sampling; 2) the person(s) who performed the measurement or sample collection; 3) the dates the analyses were performed; 4) the person(s) who performed the analyses; 5) the analytical techniques or methods used; 6) the date of and person responsible for equipment calibration; and 7) the results of all required analyses.

5. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Regional Administrator or the Department.

PART II

Section C. Reporting Requirements

1. Start-up Notification

If the permittee will not discharge during the first 60 days following the effective date of the facility's certificate of coverage, the permittee shall notify the Department within 14 days following the effective date of the certificate of coverage, and then 60 days prior to the commencement of the discharge.

2. Submittal Requirements for Self-Monitoring Data

Unless instructed on the effluent limits page to conduct "retained self-monitoring," the permittee shall submit self-monitoring data on the Environmental Protection Agency's Discharge Monitoring Report (DMR) forms (monthly summary information) and the Department's Daily Discharge Monitoring Report forms (daily information) to PCS-Data Entry, Water Division, Michigan Department of Environmental Quality, P.O. Box 30273, Lansing, Michigan, 48909-7773, for each calendar month of the authorized discharge period(s). The forms shall be postmarked no later than the **10th day of the month** following each month of the authorized discharge period(s). Electronic Environmental Discharge Monitoring Reporting (**e2-DMR**) System participants shall submit self-monitoring data for each month of the authorized discharge period(s). The electronic forms shall be submitted to the department no later than the **20th day of the month** following each month of the authorized discharge period(s).

3. Retained Self-Monitoring Requirements

If instructed on the effluent limits page (or otherwise authorized by the Department in accordance with the provisions of this permit) to conduct retained self-monitoring, the permittee shall maintain a year-to-date log of retained self-monitoring results and, upon request, provide such log for inspection to the staff of the Department (Department as defined on the certificate of coverage). Retained self-monitoring results are public information and shall be promptly provided to the public upon written request from the public.

The permittee shall certify, in writing, to the Department, on or before January 10th of each year, that: 1) all retained self-monitoring requirements have been complied with and a year-to-date log has been maintained; and 2) the application on which this permit is based still accurately describes the discharge. With this annual certification, the permittee shall submit a summary of the previous year's monitoring data. The summary shall include maximum values for samples to be reported as daily maximums and/or monthly maximums and minimum values for any daily minimum samples.

Retained self-monitoring may be denied to a permittee by notification in writing from the Department. In such cases, the permittee shall submit self-monitoring data in accordance with Part II.C.2., above. Such a denial may be rescinded by the Department upon written notification to the permittee.

Reissuance or modification of this permit or reissuance or modification of an individual permittee's authorization to discharge shall not affect previous approval or denial for retained self-monitoring unless the Department provides notification in writing to the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

Monitoring required pursuant to Part 41 of the Michigan Act or Rule 35 of the Mobile Home Park Commission Act (Act 96 of the Public Acts of 1987) for assurance of proper facility operation shall be submitted as required by the Department.

PART II

Section C. Reporting Requirements

5. Compliance Dates Notification

Within 14 days of every compliance date specified in this permit, the permittee shall submit a written notification to the Department indicating whether or not the particular requirement was accomplished. If the requirement was not accomplished, the notification shall include an explanation of the failure to accomplish the requirement, actions taken or planned by the permittee to correct the situation, and an estimate of when the requirement will be accomplished. If a written report is required to be submitted by a specified date and the permittee accomplishes this, a separate written notification is not required.

6. Noncompliance Notification

Compliance with all applicable requirements set forth in the Federal Act, Parts 31 and 41 of the Michigan Act, and related regulations and rules is required. All instances of noncompliance shall be reported as follows:

- a. 24-hour reporting - Any noncompliance which may endanger health or the environment (including maximum daily concentration discharge limitation exceedances) shall be reported, verbally, within 24 hours from the time the permittee becomes aware of the noncompliance. A written submission shall also be provided within five (5) days.
- b. other reporting - The permittee shall report, in writing, all other instances of noncompliance not described in a. above at the time monitoring reports are submitted; or, in the case of retained self-monitoring, within five (5) days from the time the permittee becomes aware of the noncompliance.

Written reporting shall include: 1) a description of the discharge and cause of noncompliance; and 2) the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and the steps taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

7. Spill Notification

The permittee shall immediately report any release of any polluting material which occurs to the surface waters or groundwaters of the state, unless the permittee has determined that the release is not in excess of the threshold reporting quantities specified in the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code), by calling the Department at the number indicated in the certificate of coverage, or if the notice is provided after regular working hours call the Department's 24-hour Pollution Emergency Alerting System telephone number, 1-800-292-4706 (calls from out-of-state dial 1-517-373-7660).

Within ten (10) days of the release, the permittee shall submit to the Department a full written explanation as to the cause of the release, the discovery of the release, response (clean-up and/or recovery) measures taken, and preventative measures taken or a schedule for completion of measures to be taken to prevent reoccurrence of similar releases.

8. Upset Noncompliance Notification

If a process "upset" (defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee) has occurred, the permittee who wishes to establish the affirmative defense of upset, shall notify the Department by telephone within 24-hours of becoming aware of such conditions; and within five (5) days, provide in writing, the following information:

- a. that an upset occurred and that the permittee can identify the specific cause(s) of the upset;
- b. that the permitted wastewater treatment facility was, at the time, being properly operated; and
- c. that the permittee has specified and taken action on all responsible steps to minimize or correct any adverse impact in the environment resulting from noncompliance with this permit.

In any enforcement proceedings, the permittee, seeking to establish the occurrence of an upset, has the burden of proof.

PART II

Section C. Reporting Requirements

9. Bypass Prohibition and Notification

- a. Bypass Prohibition - Bypass is prohibited unless:
- 1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass; and
 - 3) the permittee submitted notices as required under 9.b. or 9.c. below.
- b. Notice of Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least ten (10) days before the date of the bypass, and provide information about the anticipated bypass as required by the Department. The Department may approve an anticipated bypass, after considering its adverse effects, if it will meet the three (3) conditions listed in 9.a. above.
- c. Notice of Unanticipated Bypass - The permittee shall submit notice to the Department of an unanticipated bypass by calling the Department at the number indicated in the certificate of coverage (if the notice is provided after regular working hours, use the following number: 1-800-292-4706) as soon as possible, but no later than 24 hours from the time the permittee becomes aware of the circumstances.
- d. Written Report of Bypass - A written submission shall be provided within five (5) working days of commencing any bypass to the Department, and at additional times as directed by the Department. The written submission shall contain a description of the bypass and its cause; the period of bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass; and other information as required by the Department.
- e. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of 9.a., 9.b., 9.c., and 9.d., above. This provision does not relieve the permittee of any notification responsibilities under Part II.C.10. of this permit.
- f. Definitions
- 1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
 - 2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

10. Notification of Changes in Discharge

The permittee shall notify the Department, in writing, within 10 days of knowing, or having reason to believe, that any activity or change has occurred or will occur which would result in the discharge of: 1) detectable levels of chemicals on the current Michigan Critical Materials Register, priority pollutants or hazardous substances set forth in 40 CFR 122.21, Appendix D, or the Pollutants of Initial Focus in the Great Lakes Water Quality Initiative specified in 40 CFR 132.6, Table 6, which were not acknowledged in the application or listed in the application at less than detectable levels; 2) detectable levels of any other chemical not listed in the application or listed at less than detection, for which the application specifically requested information; or 3) any chemical at levels greater than five times the average level reported in the complete application (see the certificate of coverage for the date(s) the complete application was submitted). Any other monitoring results obtained as a requirement of this permit shall be reported in accordance with the compliance schedules.

PART II**Section C. Reporting Requirements****11. Changes in Facility Operations**

Any anticipated action or activity, including but not limited to facility expansion, production increases, or process modification, which will result in new or increased loadings of pollutants to the receiving waters must be reported to the Department by a) submission of an increased use request (application) and all information required under Rule 323.1098 (Antidegradation) of the Water Quality Standards or b) by notice if the following conditions are met: 1) the action or activity will not result in a change in the types of wastewater discharged or result in a greater quantity of wastewater than currently authorized by this permit; 2) the action or activity will not result in violations of the effluent limitations specified in this permit; 3) the action or activity is not prohibited by the requirements of Part II.C.12.; and 4) the action or activity will not require notification pursuant to Part II.C.10. Following such notice, the permit may be modified according to applicable laws and rules to specify and limit any pollutant not previously limited.

12. Bioaccumulative Chemicals of Concern (BCC)

Consistent with the requirements of Rules 323.1098 and 323.1215 of the Michigan Administrative Code, the permittee is prohibited from undertaking any action that would result in a lowering of water quality from an increased loading of a BCC unless an increased use request and antidegradation demonstration have been submitted and approved by the Department.

13. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharge emanates, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department 30 days prior to the actual transfer of ownership or control.

PART II

Section D. Management Responsibilities

1. Duty to Comply

All discharges authorized herein shall be consistent with the terms and conditions of this permit and the facility's certificate of coverage (COC). The discharge of any pollutant identified in this permit and/or the facility's COC more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

It is the duty of the permittee to comply with all the terms and conditions of this permit and the facility's COC. Any noncompliance with the Effluent Limitations, Special Conditions, or terms of this permit or the facility's COC constitutes a violation of the Michigan Act and/or the Federal Act and constitutes grounds for enforcement action; for COC termination, revocation and reissuance, or modification; or denial of an application for permit or COC renewal.

2. Operator Certification

The permittee shall have the waste treatment facilities under direct supervision of an operator certified at the appropriate level for the facility certification by the Department, as required by Sections 3110 and 4104 of the Michigan Act. Permittees authorized to discharge storm water shall have the storm water treatment and/or control measures under direct supervision of a storm water operator certified by the Department, as required by Section 3110 of the Michigan Act.

3. Facilities Operation

The permittee shall, at all times, properly operate and maintain all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures.

4. Power Failures

In order to maintain compliance with the effluent limitations of this permit and prevent unauthorized discharges, the permittee shall either:

- a. provide an alternative power source sufficient to operate facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit; or
- b. upon the reduction, loss, or failure of one or more of the primary sources of power to facilities utilized by the permittee to maintain compliance with the effluent limitations and conditions of this permit, the permittee shall halt, reduce or otherwise control production and/or all discharge in order to maintain compliance with the effluent limitations and conditions of this permit.

5. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the surface waters or groundwaters of the state resulting from noncompliance with any effluent limitation specified in this permit including, but not limited to, such accelerated or additional monitoring as necessary to determine the nature and impact of the discharge in noncompliance.

6. Containment Facilities

The permittee shall provide facilities for containment of any accidental losses of polluting materials in accordance with the requirements of the Part 5 Rules (Rules 324.2001 through 324.2009 of the Michigan Administrative Code). For a Publicly Owned Treatment Work (POTW), these facilities shall be approved under Part 41 of the Michigan Act.

PART II

Section D. Management Responsibilities

7. Waste Treatment Residues

Residuals (i.e. solids, sludges, biosolids, filter backwash, scrubber water, ash, grit or other pollutants) removed from or resulting from treatment or control of wastewaters, shall be disposed of in an environmentally compatible manner and according to applicable laws and rules. These laws may include, but are not limited to, the Michigan Act, Part 31 for protection of water resources, Part 55 for air pollution control, Part 111 for hazardous waste management, Part 115 for solid waste management, Part 121 for liquid industrial wastes, Part 301 for protection of inland lakes and streams, and Part 303 for wetlands protection. Such disposal shall not result in any unlawful pollution of the air, surface waters or groundwaters of the state.

8. Treatment System Closure

In the event that discharges from a treatment system are planned to be eliminated, the permittee shall submit a closure plan to the Department for approval. The closure plan shall include characterization of any wastewater and residuals which will remain on-site after the discharges are eliminated, along with disposal methods, proposed schedule, and any other relevant information as required by the Department. Closure activities involving waste treatment residuals shall be consistent with Part II.D.7. of this permit.

The permittee shall implement the closure activities in accordance with the approved plan. Any wastewater or residual disposal inconsistent with the approved plan shall be considered a violation of this permit. After proper closure of the treatment system, this permit may be terminated.

9. Right of Entry

The permittee shall allow the Department, any agent appointed by the Department or the Regional Administrator, upon the presentation of credentials:

- a. to enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- b. at reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect process facilities, treatment works, monitoring methods and equipment regulated or required under this permit; and to sample any discharge of pollutants.

10. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Act and Rule 2128 (Rule 323.2128 of the Michigan Administrative Code), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Act and Sections 3112, 3115, 4106 and 4110 of the Michigan Act.

PART II

Section E. Activities Not Authorized by This Permit

1. Discharge to the Groundwaters

This permit does not authorize any discharge to the groundwaters. Such discharge may be authorized by a groundwater discharge permit issued pursuant to the Michigan Act.

2. Facility Construction

This permit does not authorize or approve the construction or modification of any physical structures or facilities. Approval for such construction for a POTW must be by permit issued under Part 41 of the Michigan Act. Approval for such construction for a mobile home park, campground or marina shall be from the Water Division, Michigan Department of Environmental Quality. Approval for such construction for a hospital, nursing home or extended care facility shall be from the Division of Health Facilities and Services, Michigan Department of Consumer and Industry Services upon request.

3. Civil and Criminal Liability

Except as provided in permit conditions on "Bypass" (Part II.C.9. pursuant to 40 CFR 122.41(m)), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond the permittee's control, such as accidents, equipment breakdowns, or labor disputes.

4. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under Section 311 of the Federal Act except as are exempted by federal regulations.

5. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Federal Act.

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits or approvals as may be required by law.